

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE

DODD POWELL KING

Plaintiff,

v.

ALLSTATE

Defendant.

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Civil Action No. 2:09-cv-276

AMENDED COMPLAINT

COMES NOW the Plaintiff, Dodd Powell King, a citizen and resident of Sullivan County Tennessee, by and through undersigned counsel and would show there has not been an answer to his Complaint sues the defendants named above jointly and severally, and for his amended cause of action says:

1. Plaintiff is citizen and resident of Sullivan County.
2. Defendant domestically related insurance company licensed to do business in Tennessee at all times pertinent hereto.
3. Dodd Powell King owned certain property on 289 Old Thomas Bridge Road, Bluff City, Tennessee.
4. That Plaintiff had a policy with Allstate the covered personal property as well as the reality. The Allstate Insurance Company Deluxe Homeowners Policy number is 063923814 07/30.

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5. That on or about May 12, 2008 the realty and personal property therein and thereon sustained significant fire damage.
6. That Plaintiff has cooperated at all times pertinent hereto .
7. That Cheryl and Dodd King were going through a divorce and did not reside in the same house at all times pertinent hereto.
8. That Dodd King has complied with all conditions precedent to this insurance policy.
9. Dodd King has been without the money and without prejudgment interest on said monies
10. Dodd King ask that he be the beneficiary of the policy as he has complied without any fault.
11. Allstate has wrongfully and intentionally withheld monies due Dodd Powell King and is in violation of the Tennessee Consumer Protection Act.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for Judgment as follows:

1. That this Complaint be filed and served upon the Defendant through the Commissioner of Insurance.
2. That Plaintiff be awarded a judgment against Defendant for the full amount of the policy monies on both the personal property and the realty, as well as, treble damages and attorneys fees for violation of the Tennessee Consumer Protection Act.
3. That Plaintiff is awarded judgment against Defendant for the

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prejudgment interest on said monies.

4. Plaintiff is awarded judgment of twenty –five percent (25%) bad faith claim and in addition thereto.
5. That Plaintiff be awarded other relief as is just and equitable under the circumstances.

Respectfully submitted,
Dodd Powell King

By: 

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